

1617

AMENDMENT TRANSMITTAL LETTER (Small Entity)

Applicant(s): Allan Chen

Docket No.

693243-76 (UCD1120)

Serial No.
10/075,718Filing Date
February 2, 2002Examiner
Jennifer M. KimGroup Art Unit
1617

Invention: RADIOSENSITIZATION BY INDOLOCARBAZOLE DERIVATIVES



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TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

- Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	11 -	33 =	0	x \$9.00	\$0.00
INDEP. CLAIMS	2 -	6 =	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable)		<input type="checkbox"/>			\$0.00
					\$0.00
					\$0.00

- No additional fee is required for amendment.
- Please charge Deposit Account No. _____ in the amount of _____.
- A check in the amount of _____ to cover the filing fee is enclosed.
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 07-1896
- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 CFR 1.17.

Dated: July 17, 2003

Signature

Nan Wu (Reg. No. 43,360)
 Gray Cary Ware & Freidenrich LLP
 153 Townsend Street, Suite 800
 San Francisco, CA 94107

I certify that this document and fee is being deposited on July 17 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

cc:

Ta-Tanisha L. Moore

Typed or Printed Name of Person Mailing Correspondence



THC
JULY 17 2003
PATENT

Attorney Docket No.: 693243-76 (UCD1120)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Allan Y. Chen

Application No.: 10/075,718

Filed: February 12, 2002

For: RADIOSENSITIZATION BY
INDOLOCARBAZOLE DERIVATIVES

) Group Art Unit: 1617
)
) Examiner: Jennifer M Kim
)
) CERTIFICATION UNDER 37 CFR § 1.8
) I hereby certify that the documents referred to as enclosed herein
) are being deposited with the United States Postal Service as first
) class mail on this date **July 17, 2003** in an envelope
) addressed to: Commissioner for Patents, Washington, D.C. 20231
)
) Ta-Tanisha L. Moore
(Name of person mailing paper)
) Ta-Moore
) Signature

Commissioner for Patents
Washington D.C., 20231

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RESPONSE TO RESTRICTION REQUIREMENT

Response

Responsive to the Restriction Requirement mailed June 30, 2003, Applicant elects, with traverse, the claims of Group II, claims 23-33. It is alleged in the Office Action that the claims are directed to two independent and patentably distinct inventions. Although Applicant traverses the restriction requirement for the reasons set forth below, the claims of Group II, claims 23-33 are provisionally elected in order to be fully responsive to the Office Action.

Traverse the Restriction Requirement

The Restriction Requirement is traversed with respect to Groups I and II. In each case, the claims are directed to methods of using indolocarbazole derivatives having the recited structure A to treat neoplastic cells. For example, with respect to Groups I and II, the methods for enhancing the radiosensitivity of a neoplastic cell in claims 1-11, the methods for treating a neoplastic cell in claims

12-22, and the methods for treating a neoplastic growth in claims 23-33 are all related to the use of indolocarbazole derivatives having the recited structure A.

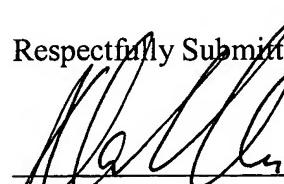
While the claims within each group of Groups I and II are independent and patentably distinct from the claims of another group, it is submitted that the subject matter of Groups I and II is so closely related that division of the claims into separate groups would result in duplication of effort by the U.S. Patent and Trademark Office. A search of the claims of elected Group II would include art relevant to indolocarbazole derivatives having the recited structure A, and therefore relevant to examination of the claims of Group I.

For the above-reasons, it is submitted that a search of the claims of Group II would, of necessity, reveal art relevant to the claims of Group I. Accordingly, it is respectfully requested that the claims of Group I and Group II be rejoined, and that the claims of Group I be examined together with elected Group II.

The Examiner is invited to contact Applicant' undersigned representative if there are any questions relating to this application.

Dated: 7/7/03

Respectfully Submitted,


Nan Wu
Reg. No. 43,360

Telephone: (415)-836-2531
Facsimile: (415)-836-2501

Gray Cary Ware & Freidenrich LLP
153 Townsend Street, Suite 800,
San Francisco, CA 94107-1907

USPTO Customer Number 28213